

IN THE COURT OF APPEALS OF THE STATE OF MISSISSIPPI**ROBERT H. HARDIN, JR.,****APPELLANT****vs.****Cause No. 2014-CA-00781-COA****BETTY GRANTHAM (HARDIN)****APPELLEE****MOTION FOR RECONSIDERATION PURSUANT TO MRAP 27(h)(4)**

COMES NOW, Appellant Robert H. Hardin, Jr. (hereinafter sometimes “Appellant Robert”) by and through his counsel of record, and for his Motion for Reconsideration of this Court’s **ORDER** of August 13, 2015 would show the following, to wit:

1. That this Honorable Court’s **ORDER** of August 13, 2015 should be reconsidered and reviewed;
2. The specific, particularized reasons, in the opinion of Appellant Robert, are incorporated, outlined and detailed in the supportive **MEMORANDUM BRIEF OF APPELLANT ROBERT H. HARDIN, JR.** as filed contemporaneously herein;
3. Essentially, this Court’s **ORDER** adopted, in pertinent part, the **ORDER** of the Chancery Court of the First Judicial District of Carroll County filed May 13, 2015;
4. Significantly, the trial court’s **ORDER** improperly misapplied, and failed to comply with, the supersedeas provisions under MRAP 8(b)(1) in particular in completely denying Appellant Robert’s request for supersedeas bond and a resultant stay during the course of his appeal;
5. Moreover, the trial court’s denial **ORDER** as well as this Court’s **ORDER** of August 13, 2015 are silent as to the complete lack of the trial court’s, at minimum, requirement of setting a supersedeas bond in any amount whatsoever, all again, in contravention of MRAP 8(b)(1). Consequently, the trial court simply failed to comply with the clear mandate of MRAP 8(b)(1);
6. Accordingly, this Honorable Court’s subject **ORDER** adopted certain misplaced findings

of the trial court, and as a result, said **ORDER** of this Court should be reconsidered and revisited herein.

Ultimately, respectfully, this Court should, pursuant to MRAP 27(h)(4), clearly revisit and reconsider its **ORDER** of August 13, 2015 and grant such other general or specific relief as this Court finds appropriate and necessary.

RESPECTFULLY SUBMITTED, this the 27th day of August, 2015.

ROBERT H. HARDIN, JR.

BY: /s/ Tom P. Calhoun, III
TOM P. CALHOUN, III (MSB #4964)

OF COUNSEL TO APPELLANT ROBERT H. HARDIN, JR.:

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CERTIFICATE OF SERVICE

I, Tom P. Calhoun, III, hereby certify that on August 27, 2015, I electronically filed the foregoing **MOTION FOR RECONSIDERATION PURSUANT TO MRAP 27(h)(4)** with the Clerk of the Court using the MEC system which sent notification of such filing to the following:

Patricia A. Rodgers, Esq.
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And I hereby certify that I have mailed by United States Postal Service the document to the following non-ECF participant:

Honorable Judge D. Joseph Kilgore
Chancery Court Judge
Carroll County Mississippi
c/o Heather C. Irby, Court Administrator
P.O. Box 1006
Philadelphia, MS 39350

SO CERTIFIED, this the 27th day of August, 2015.

/s/ Tom P. Calhoun, III
TOM P. CALHOUN, III
OF COUNSEL TO APPELLANT